

# **INDIANA BOARD OF PHARMACY**

**Indiana Professional Licensing Agency  
Conference Center Rooms 4 and 5  
402 W. Washington St.  
Indianapolis, IN 46204**

**MINUTES OF June 11, 2007**

## **CALL TO ORDER & ESTABLISHMENT OF QUORUM**

President and Presiding Officer Steve Anderson called the meeting to order at 9:10 a.m. in Conference Center Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204, and declared a quorum, in accordance with IC § 25-26-13-3.

### **Board Members Present:**

Steve Anderson, R.Ph., President  
William Cover, R.Ph., Vice President  
Del T. Fanning, R.Ph., Member  
Donna Wall, PharmD., R.Ph, Member  
Sara St. Angelo, PharmD, Member  
Anika Calloway, J.D., Member

### **Board Members Not Present:**

Winnie Landis, R.Ph., Member

### **State Officials Present:**

Marty Allain, Board Director, Indiana Professional Licensing Agency  
Amy Phillips, Assistant Board Director, Indiana Professional Licensing Agency  
Gordon White, DAG, Advisory Counsel, Office of the Attorney General

## **ADOPTION OF AGENDA**

A motion was made and seconded to adopt the agenda, as amended.

**St. Angelo/Wall**

**Motion carried 6/0/0**

## **ADOPTION OF MINUTES FROM May 14, 2007 MEETING OF THE BOARD**

A motion was made and seconded to adopt the minutes of the May 14, 2007 meeting of the Board.

**St. Angelo/Cover**

**Motion carried 6/0/0**

## **PERSONAL APPEARANCES**

Reports were given by the Compliance Officers.

Michelle Burg did not appear for her personal appearance regarding her positive response on her pharmacy technician application. A motion was made and seconded to deny the application of Michelle Burg.

**Wall/St. Angelo**

**Motion carried 6/0/0**

Andrea Bowen failed to appear before her personal appearance. A motion was made and seconded to table the application.

**Wall/Calloway**

**Motion carried 6/0/0**

Blair Wimmer appeared before the Board regarding a positive response on her pharmacy technician application. A motion was made and seconded to issue a pharmacy technician-in-training certification to Blair Wimmer.

**Wall/St. Angelo**

**Motion carried 6/0/0**

Justin Knapke appeared before the Board regarding a positive response on his pharmacy intern renewal. A motion was made and seconded to issue a probationary pharmacist intern license for Justin Knapke.

**Wall/Fanning**

**Motion carried 6/0/0**

Laura Meshberger appeared before the Board regarding a positive response on his pharmacy intern renewal. A motion was made and seconded to issue a probationary license to Laura Meshberger

**Cover/Fanning**

**Motion carried 6/0/0**

Angela Bauer appeared before the Board regarding a positive response on his pharmacy intern application. A motion was made and seconded to issue a probationary license to Angela Bauer.

**Wall/Cover**

**Motion carried 6/0/0**

Tasha Engelmeyer appeared before the Board regarding a positive response on her pharmacy intern application. A motion was made and seconded to issue a pharmacist intern license to Tasha Engelmeyer.

**St. Angelo/Cover**

**Motion carried 6/0/0**

Christopher Oswald—Pharmacist Intern Application

Christopher Oswald appeared before the Board regarding a positive response on his pharmacy intern application. A motion was made and seconded to grant a pharmacist intern license to Christopher Oswald.

**Wall/Cover**

**Motion carried 6/0/0**

Jill Haiar and Jacob Reuter appeared before the Board regarding positive responses on their pharmacy intern application. A motion was made and seconded to a pharmacist intern license.

**Fanning/St. Angelo**

**Motion carried 6/0/0**

*Administrative Hearings started at 10:50 a.m. beginning with the following:*

**State of Indiana vs. Hala Naanouh, R.Ph.**

License No. 26018994A

Administrative Cause No. 2005 IBP 0050

Re: Petition to Withdraw Probation

**Parties and Counsel Present:**

Libby Kiefner, Deputy Attorney General

John Chavis, Respondent's counsel

Hala Naanouh, Respondent

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

Respondent filed a Petition to Withdraw Probation.

**Witnesses for the Respondent:**

Hala Naanouh

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to lift the probation upon receipt of ten (10) continuing education ethics hours.

**Cover/Wall**

**Motion carried 6/0/0**

**State of Indiana vs. Charmaine Hendrix, R.Ph.**

License No. 26013367A

Administrative Cause No. 2006 IBP 0016

Re: Petition to Withdraw Probation

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

Mike McMains, Respondent's counsel

Charmaine Hendrix, Respondent

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

Respondent filed a Petition to Withdraw Probation.

**Witnesses for the Respondent:**

Charmaine Hendrix

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to withdraw the probationary status from Respondent's license.

**Cover/Wall**

**Motion carried 6/0/0**

**State of Indiana vs. Michael Roehm, R.Ph.**

License No. 26012543A

Administrative Cause No. 2005 IBP 0028

Re: Petition to Withdraw Probation

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

Kelly Scanlan & Ronald Elberger, Respondent's counsel

Michael Roehm, Respondent

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

Respondent filed a Petition to Withdraw Probation.

**Witnesses for the Respondent:**

Michael Roehm

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to withdraw the probationary status of Respondent's license.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**State of Indiana vs. Gilbert Chavarria, R.Ph.**

License No. 26019304A

Administrative Cause No. 2006 IBP 0013

Re: Final Hearing

**Parties and Counsel Present:**

Libby Kiefner, Deputy Attorney General

Kevin McShane, Respondent's counsel

Gilbert Chavarria, Respondent

**Participating Board Members:**

Fanning  
Anderson  
St. Angelo  
Cover  
Calloway  
Wall

**Case Summary:**

A Complaint was filed adverse the Respondent.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A settlement agreement was presented by the parties. A motion was made and seconded to approve the settlement agreement which includes a three (3) month suspension that will lift on the last day of the suspension and, thereafter, the Respondent's license will be placed on probation. In addition to the terms of the executed settlement agreement, the Board amended the agreement including revision of CE requirements and employer reports.

**Cover/Fanning**

**Motion carried 6/0/0**

**State of Indiana vs. Daniel Weaver, R.Ph.**

License No. 26013921A

Administrative Cause No. 2002 IBP 0026

Re: Order to Show Cause

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning  
Anderson  
St. Angelo  
Cover  
Calloway  
Wall

**Case Summary:**

An Order to Show Cause was issued adverse the Respondent's license for failure to abide by his probationary terms.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

Carl Erdmann

**Board Action:**

A motion was made and seconded to issue a notice of proposed default.

**Cover/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to summarily suspend the Respondent's license for ninety (90) days.

**Cover/Fanning**

**Motion carried 6/0/0**

**State of Indiana vs. Marie Moore, Pharmacy Technician**

Certification No. 67006535A

Administrative Cause No. 2007 IBP 0006

Re: Final Hearing

**Parties and Counsel Present:**

Laura Wilford, Deputy Attorney General

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

A Complaint was filed adverse the Respondent's license.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to issue a notice of proposed default.

**Wall/St. Angelo**

**Motion carried 6/0/0**

**State of Indiana vs. Beth Thompson, Pharmacy Technician**

Certification No. 67006723A

Administrative Cause No. 2005 IBP 0018

Re: Default Hearing

**Parties and Counsel Present:**

Shelley Johnson, Deputy Attorney General

**Participating Board Members:**

Wall

Fanning

Anderson

St. Angelo

Cover

Calloway

**Case Summary:**

A notice of proposed default was issued adverse the Respondent.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to hold the Respondent in default.

**Cover/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to revoke the Respondent's license.

**Wall/Cover**

**Motion carried 6/0/0**

**State of Indiana vs. Danielle Boddie, Pharmacy Technician**

Certification No. 67008794A

Administrative Cause No. 2006 IBP 0010

Re: Final Hearing

**Parties and Counsel Present:**

Shelley Johnson, Deputy Attorney General

**Participating Board Members:**

Wall

Fanning

Anderson

St. Angelo

Cover

Calloway

**Case Summary:**

A notice of proposed default was issued adverse the Respondent.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded issue a notice of proposed default.

**Wall/Cover**

**Motion carried 6/0/0**

A motion was made and seconded to extend the summary suspension for additional ninety (90) days.

**Wall/Cover**

**Motion carried 6/0/0**

*Donna Wall left the meeting.*

**State of Indiana vs. Dawn Bailey, Pharmacy Technician**

Certification No. 67009916A

Administrative Cause No. 2007 IBP 0001

Re: Default Hearing

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Fanning

Anderson

St. Angelo

Cover

Calloway

Wall

**Case Summary:**

A notice of proposed default was issued by the Board and the Respondent did not respond to said notice.

**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to hold the Respondent in default.

**Fanning/St. Angelo**

**Motion carried 5/0/0**

A motion was made and seconded to revoke the Respondent's license.

**Wall/Cover**

**Motion carried 5/0/0**

*Donna Wall returned to the meeting.*

**State of Indiana vs. Nicole Guess, Pharmacy Technician**

Certification No. 67006773A

Administrative Cause No. 2006 IBP 0041

Re: Default Hearing

**Parties and Counsel Present:**

Mark Mader, Deputy Attorney General

**Participating Board Members:**

Wall

Fanning

Anderson

St. Angelo

Cover

Calloway

**Case Summary:**

A notice of proposed default was issued adverse the Respondent.



**Witnesses for the Respondent:**

None

**Witnesses for the State:**

None

**Board Action:**

A motion was made and seconded to hold the Respondent in default.

**Fanning/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to revoke the Respondent's license.

**Fanning/St. Angelo**

**Motion carried 6/0/0**

The Board approved the appearances of the following probationers:

Erik Blemker  
John Eklund  
Thomas Goodge  
David Koszut  
Dennis Mock  
Elaine Niese  
Valerie Ziemkowski  
Keith Schmidt

**Fanning/Wall**

**Motion carried 6/0/0**

The Board approved the appearances of the following probationers:

Louis DeInnocentes  
Christopher King

**St. Angelo/Cover**

**Motion carried 6/0/0**

The Board approved the appearances of the following probationers:

Lawrence Brassard  
Tara Feldhaus  
Mark Huntzinger  
Dennis Mazurkiewicz  
Christine Nafe  
Jeffrey Opel  
Jon Stelter  
Michael Werner

**Cover/Wall**

**Motion carried 6/0/0**

Steven Zehring and Robert Jaberg failed to appear. Mr. Zehring was excused as he notified the Board that he was having hip replacement surgery on the Friday prior to the meeting.

A motion was made and seconded to approve the following new store applications with the condition that Walgreens provides opening date:

<i>Store</i>	<i>Type</i>	<i>Opening</i>	<i>Received</i>
Progressive Hospital of Fort Wayne LLC 2626 Fairfield Ave Fort Wayne, IN 46809	II	August 23, 2007	May 17, 2007
Marsh Drugs LLC Dba Marsh Drugs LLC #7045 3075 E 25 <sup>th</sup> St Columbus, IN 47203	VI	August 1, 2007	June 1, 2007
Walgreen Co Dba: Walgreens #10939 4828 Davis Lant Dr Evansville, IN 47715	VI		June 1, 2007

#### **St. Angelo/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following change of location/remodel applications:

<i>New</i>	<i>Old</i>	<i>Received</i>
Bloomington Hospital 333 E Miller Dr Bloomington, IN 47401	Remodel	April 25, 2007
Sam's Pharmacy 10-6325 1101 Windhorst Way Greenwood, IN 46143	Remodel	June 1, 2007
Rite Aid of Indiana Inc Dba Rite Aid #4652 1673 Hwy 64 NE New Salisbury, IN 47161	1470 Hwy 64 NE New Salisbury, IN 47161	June 4, 2007
Curascript Infusion Pharmacy 7301 Georgetown Rd Ste 121 Indianapolis, IN 46268	Remodel	June 6, 2007

#### **Cover/Calloway**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following change of ownership application:

<i>New</i>	<i>Old</i>	<i>Received</i>
Porter Hospital LLC 814 LaPorte Ave Valparaiso, IN 46383	Porter Memorial Hospital	May 31, 2007
Porter Hospital LLC 3630 Willowcreek Road Portage, IN 46368	Portage Community Hospital	May 31, 2007
Radiopharmacy, LLC 1409 E Virginia St Evansville, IN 47711	Radiopharmacy, Inc	June 5, 2007

**Cover/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following store closings:

<i>Store</i>	<i>Type</i>	<i>Date closed</i>
The Medicine Shoppe 3071N High School Rd Indianapolis, IN 46224	VI	April 30, 2007
Ladd Rexall Drugs McConnell St Box 63 Oxford, IN 47971	II	March 1, 2007
Key Pharmacy #1 Hwy 114 W North Manchester, IN 46962	I	May 17, 2007
Carew Pharmacy 1818 Carew St Fort Wayne, IN 46805	VI	May 18, 2007

**Wall/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to table the following pharmacist application and request a personal appearance:

Leah Berg—Positive Response

**Wall/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following pharmacist applications:

Nathan Golden—Positive Response

Sara Byron—Positive Response

**Wall/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to approve the renewal application of Kimberly Rinella pending the applicant successfully completes the MPJE.

**St. Angelo/Calloway**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following licensure transfers:

Chinwenwa Otinwa	(FL)
Kimberly Landeen	(OR)
Laura Walters	(OH)
Janet Fortier	(IL)
Yogesh Patel	(IL)

**Fanning/Cover**

**Motion carried 6/0/0**

A motion was made and seconded to table the licensure transfer application for Lester McLaurin and request a personal appearance.

**Fanning/Wall**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following continuing education hours:

Lisa Ribble	(1)
Jennifer Mullen	(1)
Lubna Najam	(2-1 hr)
Nancy Leinbach	(1-14hr, 1-4hr)
Bloomington Hospital	(6-1hr)

**Anderson/Calloway**

**Motion carried 6/0/0**

A motion was made and seconded to table the following pharmacy technician applications and request personal appearances:

Kristen Dean  
Jillian Sentere

**Wall/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following pharmacy technician applications:

Kelly Tafolla  
Christine Brenner  
Elaine Carr  
Aaron Stoner

**Wall/St. Angelo**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following pharmacy technician applications:

Christine Peacock  
Brent Gardner

**Wall/Fanning**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following HME Provider applications pending inspection:

Medcare Diabetic Supply LLC  
Medical Services of America, Inc  
HLS Pharmacies Inc  
MEDirect Latino, Inc  
Lifeline Health Services  
St. Anthony Home Medical Equipment  
After the Fall, Inc  
Patient-Aids, Inc

**Anderson/Cover**

**Motion carried 6/0/0**

A motion was made and seconded to approve the following HME Provider change of location applications:

Respiratory Specialists of Indiana Inc  
ABC Medical Services Inc

**Anderson/Cover**

**Motion carried 6/0/0**

A motion was made and seconded to table the following change of location/remodel applications and for a Board member, the Director, and Compliance Officer Leroy Rhea visit the site and report back to the Board at the next meeting:

New	Old	Received
Major Hospital/Benesse Oncology Center 150 W Washington St Shelbyville, IN 46176	Remodel	June 4, 2007

**St. Angelo/Fanning**

**Motion carried 6/0/0**

Board Director Report

The meeting adjourned at 2:49 p.m.

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**Steve Anderson, R.Ph., President**  
**Indiana Board of Pharmacy**

\_\_\_\_\_  
**Date**

**Next Scheduled Meeting:**

Monday, July 9, 2007  
Indiana Professional Licensing Agency  
*Conference Center Rooms 4 & 5*